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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,994	01/21/2004	Frank Liebenow	P1994US00	4303

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EXAMINER

NGUYEN, TUAN HOANG

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/761,994	Applicant(s) LIEBENOW, FRANK	
	Examiner Tuan H. Nguyen	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-24 and 31-35 is/are allowed.
- 6) ☒ Claim(s) 1-10, 25-30, 36-38 and 40-44 is/are rejected.
- 7) ☒ Claim(s) 39 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01/21/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 32-40 are objected to because of the following informalities: there are duplicated numerical of claims 32-35. Examiner renumber claims 32-35 to 36-39 and claims 36-40 to 40-44 and their relate dependent claims. Appropriate correction is required.

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 01/21/2004 has been considered by Examiner and made of record in the application file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 6, 10, 25-26, 29-30, 40-41, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartholomew et al. (U.S PAT. 5,911,119 hereinafter, "Bartholomew") in view of Houvig et al. (U.S PAT. 5,708,701 hereinafter, "Houvig").

Regarding claim 1, Bartholomew discloses a portable phone system comprising: a portable phone (Fig. 39 col. 19 lines 33-56); and a power line networking interface connected to power line networking signal coupling circuit adapted to receive power line networking signals from power line input and adapted to send power line networking signals to power line input, power line networking interface connected to output power coupling circuit to receive data signals from portable phone and to send data signals to portable phone (FIG. 6 col. 12 line 63 through col. 13 line 23). Bartholomew differs from the claimed invention in not specifically teaching for a power supply having a power line input and at least one power output, at least one power output connected through a cable and connector to portable phone; at least one power output provides power to portable phone; a power line networking signal coupling circuit connected to power line input; an output power coupling circuit connected to at least one output of at least one power output. However, Houvig teaches for a power supply having a power line input and at least one power output, at least one power output connected through a cable and connector to portable phone (FIG. 3 col. 3 line 55 through col. 4 line 22); at least one power output provides power to portable phone (FIG. 3 col. 3 line 55 through col. 4 line 22); a power line networking signal coupling circuit connected to power line input (FIG. 3 col. 4 lines 16-22); an output power coupling circuit connected to at least one output of

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at least one power output (FIG. 3 col. 4 lines 23-38). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Bartholomew for a power supply having a power line input and at least one power output, at least one power output connected through a cable and connector to portable phone; at least one power output provides power to portable phone; a power line networking signal coupling circuit connected to power line input; an output power coupling circuit connected to at least one output of at least one power output, as per teaching of Houvig, because it provides the communication of information by the power lines in a building and, in particular, to the transmission and reception of telephone signals in a power line communications system having the facility for the receiver of an incoming telephone call to receive information while the telephone remains ON HOOK and before the incoming telephone call is answered.

Regarding claims 2 and 26, Bartholomew further discloses power line input is a connector suitable to receive a power cord (Fig. 39 col. 19 lines 33-56).

Regarding claim 3, Bartholomew further discloses power supply is substantially mounted within a wall-wart that plugs directly into a power outlet (Fig. 39 col. 19 lines 33-56).

Regarding claims 6, 29 and 43 Bartholomew further discloses at least one power output comprises at least one of 3.3V DC, 5V DC, 9V DC, 12V DC, -12V DC, 16V DC, 19V DC, 24V AC and 48V DC (Fig. 14 item 14-12 power supply output 5V and 12V).

Regarding claim 10, Bartholomew further discloses power line networking interface uses at least one type of modulation chosen from a group consisting of frequency modulation, pulse-width modulation, Orthogonal Frequency Division Multiplexing (OFDM), quadrature modulation and Quadrature Amplitude Modulation (QAM) (col. 10 lines 46-62).

Regarding claim 25, Bartholomew discloses a portable phone system comprising: a portable phone (Fig. 39 col. 19 line 33-56); and a power line networking interface connected to power line networking signal coupling circuit adapted to receive power line networking signals from power line input and adapted to send power line networking signals to power line input, power line networking interface connected to output power coupling circuit to receive data signals from portable phone and send data signals to portable phone (FIG. 6 col. 12 line 63 through col. 13 line 23). Bartholomew differs from the claimed invention in not specifically teaching for a power supply; a power line input connected to power supply; a power conversion circuit connected to power line input having at least one power output connected to portable phone through a power cable and a connector, power conversion circuit provides power to portable; a power line networking signal coupling circuit connected to power line input; an output

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power coupling circuit connected to one output of at least one power output. However, Houvig teaches for a power supply (FIG. 3 col. 3 line 55 through col. 4 line 22); a power line input connected to power supply (FIG. 3 col. 3 line 55 through col. 4 line 22); a power conversion circuit connected to power line input having at least one power output connected to portable phone through a power cable and a connector, power conversion circuit provides power to portable (Fig. 3 col. 3 line 55 through col. 4 line 22); a power line networking signal coupling circuit connected to power line input (FIG. 3 col. 4 lines 16-22); an output power coupling circuit connected to one output of at least one power output (FIG. 3 col. 4 lines 23-38). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Bartholomew for a power supply; a power line input connected to power supply; a power conversion circuit connected to power line input having at least one power output connected to portable phone through a power cable and a connector, power conversion circuit provides power to portable; a power line networking signal coupling circuit connected to power line input; an output power coupling circuit connected to one output of at least one power output, as per teaching of Houvig, because it provides the communication of information by the power lines in a building and, in particular, to the transmission and reception of telephone signals in a power line communications system having the facility for the receiver of an incoming telephone call to receive information while the telephone remains ON HOOK and before the incoming telephone call is answered.

Regarding claim 30, Houvig further discloses power cable has a connector adapted to mate with a second connector located on said portable phone (col. 1 lines 46-50).

Regarding claim 40, Bartholomew discloses a portable phone system comprising: a portable phone (Fig. 39 col. 19 line 33-56); a base station providing electrical connections and support to hold and support portable phone (Fig. 39 col. 19 line 33-56); and a power line networking interface connected to power line networking signal coupling circuit adapted to receive power line networking signals from power line input and send power line networking signals to power line input, power line networking interface sends and receives power line networking signals to and from portable phone through separate contacts of connector (FIG. 6 col. 12 line 63 through col. 13 line 23). Bartholomew differs from the claimed invention in not specifically teaching for a power line input; a power conversion circuit connected to power line input and housed within base station, power conversion circuit provides at least one power output that connects to and provides power to portable phone through a connector, connector located on a surface of base station; a power line networking signal coupling circuit connected to power line input. However, Houvig teaches for a power line input (FIG. 3 col. 3 line 55 through col. 4 line 22); a power conversion circuit connected to power line input and housed within base station, power conversion circuit provides at least one power output that connects to and provides power to portable phone through a connector, connector located on a surface of base station (FIG. 3 col. 3 line 55 through col. 4 line 22); a

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power line networking signal coupling circuit connected to power line input (FIG. 3 col. 4 lines 16-22). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Bartholomew for a power line input; a power conversion circuit connected to power line input and housed within base station, power conversion circuit provides at least one power output that connects to and provides power to portable phone through a connector, connector located on a surface of base station; a power line networking signal coupling circuit connected to power line input, as per teaching of Houvig, because it provides the communication of information by the power lines in a building and, in particular, to the transmission and reception of telephone signals in a power line communications system having the facility for the receiver of an incoming telephone call to receive information while the telephone remains ON HOOK and before the incoming telephone call is answered.

Regarding claim 41, Bartholomew further discloses power line input is a connector suitable to receive a power cord (Fig. 39 col. 19 line 33-56).

4. Claims 4-5, 7-9, 27-28, 42 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartholomew et al. (U.S PAT. 5,911,119 hereinafter, "Bartholomew") in view of Houvig et al. (U.S PAT. 5,708,701 hereinafter, "Houvig") as applied to claims above, and further in view of Sacca et al. (U.S PAT. 6,741,162 hereinafter, "Sacca").

Regarding claims 4, 27, and 42 Bartholomew and Houvig, in combination, fails to

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discloses power line networking signal power line coupling circuit comprises a power line coupling capacitor and a power line isolation transformer. However, Sacca teaches power line networking signal power line coupling circuit comprises a power line coupling capacitor (item 235) and a power line isolation transformer (item 270) (Fig. 2 col. 4 lines 5-26). Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Sacca into view of Bartholomew and Houvig, in order to provide carrying electrical data signals and electrical power over a power line.

Regarding claim 5, Sacca further discloses output power coupling circuit comprises an output power coupling capacitor and an output power isolation transformer (Fig. 2 col. 4 line 5-26).

Regarding claims 7 and 44, Sacca further discloses power line coupling capacitor has a value in the range of from 0.1 uf to 0.001 uf (Fig. 2 col. 4 line 5-26).

Regarding claim 8, Sacca further discloses output power coupling capacitor has a value in the range of from 0.1 uf to 0.001 uf (Fig. 2 col. 4 line 5-26).

Regarding claim 9, Sacca further discloses power line network interface uses Home Power Line Networking Association standards to communicate with at least one device through power line coupling circuit (col. 5 line 55-66).

Regarding claim 28, Sacca further discloses output power coupling circuit comprises a second coupling capacitor (items 255 and 260) and a second isolation transformer (item 240) (Fig. 2 col. 4 line 5-26).

5. Claims 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartholomew et al. (U.S PAT. 5,911,119 hereinafter, "Bartholomew") in view of Paret (U.S PAT. 5,892,795).

Regarding claim 36, Bartholomew discloses an external power supply system with power line networking to a portable phone comprising: a housing power supply system (Fig. 39 col. 19 lines 33-56); providing power line input that passes through housing (Fig. 39 col. 19 lines 33-56); converting power line input into at least one output voltage housed substantially within housing (Fig. 39 col. 19 lines 33-56); coupling to power line input, coupling connected to power line input and coupling substantially housed within housing (Fig. 39 col. 19 lines 33-56); coupling to at least one of at least one output voltage, coupling to at least one of at least one output voltage substantially housed within housing (Fig. 39 col. 19 lines 33-56). Bartholomew differs from the claimed invention in not specifically teaching for a first modulating/demodulating a networking signal through for coupling to power line, first modulating/demodulating a networking signal substantially housed within housing; and a second modulating/demodulating a networking signal through coupling to one of at least one

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output voltage, second modulating/demodulating networking signal substantially housed within housing. However, Paret teaches for a first modulating/demodulating a networking signal through for coupling to power line, first modulating/demodulating a networking signal substantially housed within housing (Fig. 1 col. 3 line 66 through col. 4 line 29); and a second modulating/demodulating a networking signal through coupling to one of at least one output voltage, second modulating/demodulating networking signal substantially housed within housing (Fig. 1 col. 3 line 66 through col. 4 line 29). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Bartholomew for a first modulating/demodulating a networking signal through for coupling to power line, first modulating/demodulating a networking signal substantially housed within housing; and a second modulating/demodulating a networking signal through coupling to one of at least one output voltage, second modulating/demodulating networking signal substantially housed within housing, as per teaching of Paret, because it provides a telecommunication system along power supply lines, which system is less sensitive to parasitic phenomena and, is when a communication frequency is too polluted, capable of adapting itself to another, more adequate frequency.

Regarding claim 37, Sacca further discloses providing power line input is a connector suitable for receiving a power cord (Fig. 39 col. 19 lines 33-56).

6. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bartholomew et al. (U.S PAT. 5,911,119 hereinafter, "Bartholomew") in view of Paret (U.S PAT. 5,892,795) as applied to claim 36 above, and further in view of Sacca et al. (U.S PAT. 6,741,162 hereinafter, "Sacca").

Regarding claim 38 Bartholomew and Paret, in combination, fails to disclose coupling to power line networking signals comprises a coupling capacitor and an isolation transformer. However, Sacca teaches coupling to power line networking signals comprises a coupling capacitor (item 235) and an isolation transformer (item 270) (Fig. 2 col. 4 lines 5-26). Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Sacca into view of Bartholomew and Paret, in order to provide carrying electrical data signals and electrical power over a power line.

Allowable Subject Matter

7. Claims 11-24 and 31-35 are allowed.

8. The following is an examiner's statement of reasons for allowance:

Regarding claims 11, 20 and 31, Bartholomew et al. (U.S PAT. 5,911,119) teaches a portable phone system comprising: a portable phone (Fig. 39 col. 19

lines 33-56); an external power supply (Fig. 39 col. 19 lines 33-56); a power line input that connects to external power supply (Fig. 39 col. 19 lines 33-56).

Houvig et al (U.S PAT. 5,708,701) teaches a power conversion circuit connected to external power line input and housed within external power supply, power conversion circuit connected to portable phone through a power cable and connector; power conversion circuit provides at least one power output to power portable phone (Fig. 3 col. 3 line 55 through col. 4 line 22); a power line networking signal coupling circuit connected to power line input housed within external power supply (Fig. 3 col. 4 lines 16-22); an output power coupling circuit connected to one of at least one power output, output power coupling circuit housed within external power supply (Fig. 3 col. 4 lines 23-38).

Paret (U.S PAT. 5,892,795) teaches for a first modulating/demodulating a networking signal through for coupling to power line, first modulating/demodulating a networking signal substantially housed within housing (Fig. 1 col. 3 line 66 through col. 4 line 29); and a second modulating/demodulating a networking signal through coupling to one of at least one output voltage, second modulating/demodulating networking signal substantially housed within housing (Fig. 1 col. 3 line 66 through col. 4 line 29).

However, the prior art made of record, alone or in combination, fails to clearly teach or fairly suggest a power line networking interface connected to power line networking signal coupling circuit adapted to receive power line networking signals from power line input and send power line networking signals to power line input, power line networking interface connected to a first modulator/demodulator circuit, first

modulator/demodulator circuit connected to output power coupling circuit to receive data signals from portable phone and send data signals to portable phone, first modulator/demodulator circuit substantially housed within external power supply; and a second modulator/demodulator circuit located substantially within portable phone and connected to one of at least one power output adapted to receive data signals from first modulator/demodulator circuit over one of at least one output power and adapted to send data signals to first modulator/demodulator circuit over one of at least one output power, in combination with other limitations, as specified in the independent claims 11, 20 and 31, and further limitations of their respective dependent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

9. Claim 39 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

10. Any response to this action should be mailed to:

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Commissioner for Patents

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan H. Nguyen whose telephone number is (571) 272-8329. The examiner can normally be reached on 8:00Am - 5:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Maung Nay A. can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tuan Nguyen
Examiner
Art Unit 2643


NAY MAUNG
SUPERVISORY PATENT EXAMINER